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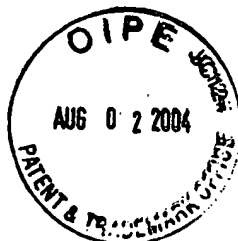


## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/764,103	01/23/2004	Paul A. Scirica	203-4027 (2944)

Paul R. Audet, Esq.  
 United States Surgical,  
 a Division of Tyco Healthcare Group LP  
 150 Glover Avenue  
 Norwalk, CT 06856



CONFIRMATION NO. 7897

## FORMALITIES LETTER



\*OC000000012478783\*

Date Mailed: 04/29/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts

08/03/2004 EFLORES 00000050 210550 10764103

01 FC:1051 130.00 DA

~~02 FC:1254~~ ~~110.00 DA~~

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P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



DOCKET NO. 2944  
(203-4027)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul A. Scirica et al  
Serial No.: 10/764,103 Examiner: To Be Assigned  
Filed: 01/23/2004 Art Unit: To Be Assigned  
For: **SURGICAL STAPLING DEVICE WITH DISSECTING TIP**

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PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION**

Sir:

In response to the Notice of File Missing Parts of NonProvisional mailed 04/29/2004, Applicants enclose herewith a copy of the Notice along with an Amendment adding an Abstract, a copy of the properly executed Combined Declaration and Power of Attorney (4 pages), and a Petition for a One-Month Extension of Time, in compliance with 37 C.F.R. 1.63. Please charge the required fee of \$130.00 to cover the surcharge under 37 C.F.R. 1.16(e) to Deposit Account No. 21-0550.

Also enclosed is a copy of an Assignment of Invention (3 pages) and the Recordation Cover Sheet. Please charge the required fee of \$40.00 to cover the surcharge 37 CFR 3.41 to Deposit Account No. 21-0550.

Respectfully submitted,

Dated: July 29, 2004  
United States Surgical,  
a division of Tyco Healthcare Group LP  
150 Glover Avenue  
Norwalk, CT 06856  
(203) 845-1480

By: Paul R. Audet  
Paul R. Audet  
Reg. No. 26,439  
Attorney for Applicant



DOCKET NO. 2944  
(203-4027)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul A. Scirica et al  
Serial No.: 10/764,103 Examiner: To Be Assigned  
Filed: 01/23/2004 Art Unit: To Be Assigned  
For: **SURGICAL STAPLING DEVICE WITH DISSECTING TIP**

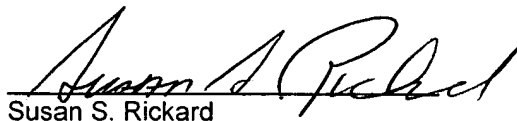
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Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

Date of Deposit: July 29, 2004  
I hereby certify that the following:

- ☒ This Certificate of Mailing
- ☒ Copy of Notice To File Missing Parts of NonProvisional Application
- ☒ Response Notice To File Missing Parts of NonProvisional Application (2 pages + 2 copies)
- ☒ Combined Declaration and Power of Attorney (4 pages)
- ☒ Recordation Cover Sheet
- ☒ Copy of Assignment of Invention (3 pages)
- ☒ Amendment Transmittal Letter (2 pages)
- ☒ Amendment adding Abstract (3 pages)
- ☒ Petition For Extension of Time (1 page + 1 copy)
- ☒ Return Postcard

are being deposited with the United States Postal Services under 37 CFR Section 1/10 on the Date of Deposit indicated above in an envelope addressed to the Mail Stop Missing Parts, Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450.

  
Susan S. Rickard

U.S. Surgical, a division of  
TYCO HEALTHCARE GROUP LP  
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